

REMARKS

Claims 1 – 20 remain in the application and stand rejected. Although this Amendment is being timely filed, the Commissioner is hereby authorized to charge any fees that may be required for this paper or credit any overpayment to Deposit Account No. 19-2179.

Claims 1 – 20 are rejected as being unpatentable under 35 U.S.C. §103(a) over U.S. Patent No. 6,584,185 to Nixon in view of U.S. Patent No. 6,252,953 to Gruchala et al. The rejection is respectfully traversed.

Essentially, it is asserted that Nixon teaches the present invention, i.e., “the claimed desk sharing application (reads on hoteling of Nixon; see column 4, lines 41 – 63 and column 15, line 62 – column 16, line 22.” Page 3. It is also asserted that Nixon Figures 2 and 3 show an Enterprise Communication Platform and that the Nixon administrative library is equivalent to the claimed User director. Also, it is asserted that Nixon col. 9, line 48 – col. 15, line 61, teaches the configuration of claims 9 and 19 and the API of claims 10 and 20. It is, however, acknowledged that Nixon does not teach “reserving an available shared telephone device.” Thus, Gruchala et al. is cited to show such a shared telephone device in a desk sharing environment at col. 1, lines 15 – 23. No source of the suggestion to combine is provided.

Nixon teaches a telephony system wherein, “a user may be able to log in to the telephony system, identify himself to his phone, and have the telephone configure itself to the individual’s preprogrammed and personalized configuration.” Col. 4, lines 52 – 55.

Gruchala et al. teaches a “work-at-home telecommunication service” that responds to “receiving, from a calling party, a service-specific vertical feature code and a dialed number to initiate a call.” Abstract, lines 1 – 3. Gruchala et al. col. 1, lines 15 – 23 recites that a “corporation can reduce office space requirements, ..., by sharing desk space among a number of telecommuting employees. If needed, a desk at the office can be reserved for a limited duration

... [when] the telecommuting employee can perform certain tasks which are most amenable with he/she being at the office.”

Claims 1 and 11 both recite “executing a desk sharing application”. As noted in the present application, a “desk sharing application is a software program, typically incorporating a graphic user interface (GUI), that is used to view shared office spaces and their associated devices and to allow authorized users to reserve these office spaces and resources.” Page 1, lines 19 – 22. Furthermore, it is the desk sharing application, not the user, “automatically impersonating full user identity and feature functionality from said dedicated telephone device to said shared telephone device” as claims 1 and 11 recite. Certainly, a user logging “in to the telephony system, identify[ing] himself to his phone,” (Nixon, *supra*) would not be considered “automatically impersonating full user identity and feature functionality” as claims 1 and 11 recite.

Therefore, the combination of Nixon and Gruchala et al. does not result in the present invention as recited in claims 1 and 11, or in any of dependent claims 2 – 10 and 12 – 20, which depend from claims 1 and 11. Reconsideration and withdrawal of the rejection of claims 1 – 20 under 35 U.S.C. § 103(a) over the combination of Nixon and Gruchala et al. is respectfully solicited.

Claims 1 – 20 remain provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over the claims of co-pending US Patent Application No. 10/610,451. (See Office action, page 3 – 4.) While the applicants do not necessarily agree with the characterization provided by the Office action of the claims allegedly in conflict; because this rejection is provisional and since none of the claims identified as being in conflict have yet been patented, response is premature and the applicants defer addressing the provisional rejection. However, the applicants reserve the right to address such rejection when appropriate.

The applicants thank the Examiner for efforts, both past and present, in examining the application. Believing the application to be in condition for allowance for the reasons set forth

above, the applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1 – 20 under 35 U.S.C. §103(a) and allow the application to issue.

Should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney at the telephone number listed below for a telephonic or personal interview to discuss any other changes.

Respectfully submitted,

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(Date)

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